

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

VICTOR GARCIA,

Petitioner,

v.

GARY BOUGHTON,

Respondent.

Case No. 17-CV-421-JPS

ORDER

On March 22, 2017, Victor Garcia (“Garcia”) filed a petition pursuant to 28 U.S.C. § 2254, asserting that his state court conviction and sentence were imposed in violation of the Constitution. (Docket #1). Garcia’s petition was not submitted on the standard form, precluding the Court from completing its screening duties pursuant to Rule 4 of the Rules Governing Section 2254 Cases. *See* (Docket #1). On April 10, 2017, the Court ordered Garcia to re-submit his petition on a standard form, which it provided to him. (Docket #6). Garcia did so April 18, 2017. (Docket #7). Two days later, however, Garcia filed a two-page letter with the Court, wherein he attempts to “clarify” certain aspects of his petition. *Id.*

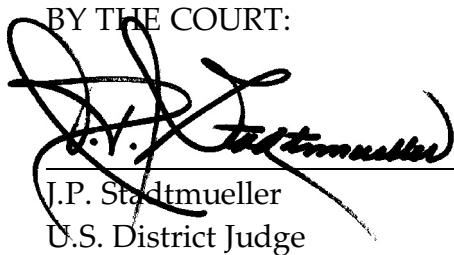
The Court cannot screen Garcia’s petition subject to “clarifications” in a separate document. Garcia’s petition must be complete in itself and cannot rely on other separately docketed materials. The Court will, therefore, give Garcia a choice. He may proceed using the current active petition, (Docket #7), or he may submit an amended petition in line with the proposed “clarifications,” (Docket #9). If Garcia chooses to amend his petition, that document must be filed no later than **May 5, 2017**. If he does not wish to amend, Garcia should notify the Court by the same date.

Accordingly,

IT IS ORDERED that the petitioner shall either submit an amended petition for writ of habeas corpus, or notify the Court that he will not amend, on or before **May 5, 2017**.

Dated at Milwaukee, Wisconsin, this 24th day of April, 2017.

BY THE COURT:



A handwritten signature in black ink, appearing to read "J.P. Stadtmueller". The signature is written over a horizontal line. Below the line, the name is typed in a standard font.

J.P. Stadtmueller
U.S. District Judge